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10/524,047	10/13/2005	Stephan Hueffer	264731US0PCT	6812
22850 7590 08/05/2009 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER KHAN, AMINA S				
ART UNIT 1796		PAPER NUMBER		
NOTIFICATION DATE 08/05/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: STEPHAN HUEFFER,
STEFAN SCHROEDER, EINHARD WAGNER,
THORSTEN RADLER, and KARL VILL

Application No. 10/524,047
Technology Center 1700

Mailed: August 4, 2009

Before Quita S. Gould, *Supervisory Paralegal Specialist*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 30, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on June 23, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner to:

1. consider the Reply Brief filed June 23, 2008 as indicated above; and
2. for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

Quita S. Gould
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QG/kmf

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